

HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

MOTOROLA INC., et al.,

Defendant.

No. C10-1823-JLR

(PROPOSED) ORDER GRANTING
MICROSOFT'S MOTION FOR A
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION

Noted: Friday, April 20, 2012

ORAL ARGUMENT REQUESTED

MOTOROLA MOBILITY, INC., et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

(PROPOSED) ORDER GRANTING
MICROSOFT'S MOTION FOR A TEMPORARY
RESTRAINING ORDER AND PRELIMINARY
INJUNCTION

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1 This matter came before the Court on Microsoft's Motion for a Temporary Restraining
2 Order and Preliminary Injunction (the "Motion").

3 The Court has considered the following pleadings:

4 1. Plaintiff Microsoft Corporation's Motion for a Temporary Restraining Order
5 and Preliminary Injunction;

6 2. Declaration of Christopher Wion in Support of Plaintiff Microsoft
7 Corporation's Motion for a Temporary Restraining Order and Preliminary Injunction, with
8 Exhibits 1-4;

9 3. Declaration of Josh Hutto in support of Plaintiff Microsoft Corporation's
10 Motion for a Temporary Restraining Order and Preliminary Injunction;

11 4. Declaration of Marcelo Prieto in support of Plaintiff Microsoft Corporation's
12 Motion for a Temporary Restraining Order and Preliminary Injunction;

13 5. Declaration of Peter Chrocziel in support of Plaintiff Microsoft Corporation's
14 Motion for a Temporary Restraining Order and Preliminary Injunction, with Exhibit 1;

15 6. (Proposed) Order Granting Plaintiff Microsoft Corporation's Motion for a
16 Temporary Restraining Order and Preliminary Injunction;

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22 The Court therefore deems itself fully advised. Now, therefore,

23 IT IS ORDERED that Microsoft Corporation's Motion for a Temporary Restraining
24 Order and Preliminary Injunction is GRANTED. Microsoft has shown that it is likely to
25 prevail on the merits of its RAND-based claims, that it will suffer irreparable harm if Motorola
26

1 Inc. (n/k/a Motorola Solutions, Inc.), Motorola Mobility, Inc., and General Instrument
2 Corporation are not enjoined from taking any additional steps to exclude Microsoft products
3 from the German market while Microsoft's RAND-based claims remain pending before this
4 Court, that the balance of equities weighs strongly in Microsoft's favor, and that injunctive
5 relief is in the public interest.

6 IT IS FURTHER ORDERED that Motorola Inc. (n/k/a Motorola Solutions, Inc.),
7 Motorola Mobility, Inc., and General Instrument Corporation are hereby barred and enjoined
8 from taking any additional steps to exclude Microsoft products in Germany while Microsoft's
9 RAND-based claims remain pending before this Court.

10 IT IS FURTHER ORDERED that Microsoft post security in the amount of
11 \$_____.

12 DONE IN OPEN COURT this __ day of _____, 2012.

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15 _____
HONORABLE JAMES L. ROBERT

16 Presented by:

17 DANIELSON HARRIGAN LEYH & TOLLEFSON LLP

18 By /s/ Arthur W. Harrigan, Jr.

19 Arthur W. Harrigan, Jr., WSBA #1751

20 Christopher Wion, WSBA #33207

21 Shane P. Cramer, WSBA #35099

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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